

RATTET, PASTERNAK & GORDON OLIVER, LLP  
Proposed Attorneys for the Debtor  
550 Mamaroneck Avenue  
Harrison, New York 10528  
(914) 381-7400

JONATHAN S. PASTERNAK (JP-6107)  
DAWN K. ARNOLD (DA-0642)

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

Case No. 07-11510 (JMP)

La Guardia Tavern Corp.  
d/b/a Society  
d/b/a Newgate Bar and Grill,

Debtor.

Tax ID: 20-0850497

-----X

**THIRD INTERIM ORDER AUTHORIZING USE OF  
CASH COLLATERAL BY DEBTOR CYRUS,  
INC. PURSUANT TO 11 U.S.C. SECTION 363**

**WHEREAS**, upon the application (“Application”) of the Debtor for authority to, inter alia, use the cash collateral of M&T Bank (“M&T”) on an interim and final basis pursuant to 11 U.S.C. Sections 363(c)(2) and 361 and Federal Rule of Bankruptcy Procedure 4001, and an interim hearing (“Interim Hearing”) having been held on May 31, 2007; and

**WHEREAS**, on May 31, 2007, the Court entered an order on consent of the Debtor and M&T granting use of cash collateral on an interim basis pursuant to a certain thirty day budget annexed to the Application, requested that the parties file on the Court’s ECF system proof of the M&T loan

documents and UCC filing statements, and scheduled a final hearing on June 19, 2007 (the “Interim Order”); and

**WHEREAS**, on June 20, 2007, the Court entered a Second Interim Order on consent granting use of cash collateral on an interim basis through June 28, 2007; and

**WHEREAS**, on June 21, 2007, pursuant to the Court’s request, a Supplemental Certification in Further Support of Debtor's Motion to Use Cash Collateral was filed [ECF Docket # 23] annexing copies of the loan documents and evidenced of UCC filings by M&T Bank; and

**WHEREAS**, the parties desire to adjourn the final hearing on the same terms as the budget annexed to the Interim Order;

**NOW, THEREFORE**, it is hereby

**ORDERED**, that the terms of the Interim Order and thirty day budget described in the Application are extended on a final basis, subject to modification, termination or cancellation for cause shown upon application of any party in interest.

Dated: New York, New York  
June 29, 2007

*s/ James M. Peck*  
HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE